REMARKS

I. Status

In the Office Action mailed May 13, 2003, the Examiner noted that claims 1-12 were pending and rejected claims 1-12. The applicant respectfully traverses the rejection.

II. Information Disclosure Statement

The documents requested by the Examiner are enclosed herein.

III. Oath Declaration

The applicant respectfully requests that the applicant be permitted to submit a supplemental declaration after allowance which will also include the correction noted by the Examiner.

IV. Double Patenting

The Applicants submits a Terminal Disclaimer for the purpose of overcoming the double patenting rejection of U.S. Patent 6,330,666. However, Applicants do not admit to any characterization or limitation of the claims by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

V. Foreign Priority

Certified copies of the priority documents EP 92306038.8, GB 9405914.4, and GB 9504046.5 were submitted in the parent application 09/307,239. Hence, applicants request that the Examiner acknowledge receipt of these foreign documents.

VI. Rejection of claims under 35 U.S.C. § 103(a)

Claims 1-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Krause et al. (hereinafter Krause) in view of Dargel et al. (hereinafter Dargel). Applicants respectfully traverse the rejections for the following reasons.

To support the allegation that Krause discloses a processor for operating on a data stream of data having portions encoded by respectively different compression standards, the Office Action cites to the Abstract, lines 1-4 and column 3, lines 15-37 and claim 21 of Krause. However, these sections of Krause are describing a device with different means capable of either "frame processing" or "field processing". The reference of Krause in these sections to "format" is referring to "frame format" or "field format" (see Krause, column 2, lines 24-41). In a "field format" each frame in a video signal is separated into two fields which are processed independently. In "frame format", the two fields are processed as a single frame by interleaving the lines of corresponding even and odd fields. These sections of Krause disclosing "formats" is not related to the "different compression standards" (for example, but not limited to JPEG, MPEG, and so forth) recited in independent claims 1 and 11 of the present invention.

To support the allegation that Krause discloses a token generator, the Office Action cites to column 10, lines 12-14 of Krause. However the cited section of Krause shows a demultiplexer which separates an encoded control signal from a video data signal. Hence, Krause does not disclose a "token generator" recited in claim 1 or a "generating a control token" recited in claim 11.

To support the allegation that Krause discloses the processor being conditioned to process the at least one data token according to the different compression standard to which the generated control token corresponds, the Office Action cites to column 10, lines 9-38. However, the cited sections of Krause discloses a demultiplexer which separates an encoded control signal

from a video data signal. The cited sections of Krause do not disclose processing "data tokens" or tokens corresponding to "different compression standards".

The Office Action concedes that Krause does not disclose a token generator responsive to the encoded data stream for generating at least one data token and a control token corresponding to each of the different compression standards

To support the allegation that Dargel disclose a token generator responsive to the encoded data stream for generating at least one data token and a control token corresponding to each of the different compression standards, the Office Action cites to column 6, lines 37-43 of Dargel. However, the reference Dargel discloses an image analyzer to perform analysis and classification. Dargel does not disclose "a token generator", nor tokens corresponding to "different compression standards" as recited in claim 1. Furthermore, Dargel discloses an apparatus of analyzing patterns which is non-analogous art to the present invention which is a decoder.

Furthermore, the cited prior art does not disclose a "token" as recited in claims 1 and 11. A token of the present invention is defined in the specification as "interactive interfacing messenger package for control and /or data functions." This entails a technology more powerful than a traditional token, for example, in the context of token rings, or a traditional packet of information.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). Establishing a *prima facie* case of obviousness requires that all elements of the invention be disclosed in the prior art. *In re Wilson*, 165 USPQ 494, 496 (C.C.P.A. 1970).

As shown above, the combination of Krause with Dargel fails to claim each and every element claimed. Since each and every claimed element is not taught or suggested in the prior art, then there is no *prima facie* case of obviousness.

As to claim 2, the Office Action concedes the Krause does not disclose a pipeline processor, but cites to Dargel for this disclosure. However, the Office Action does not explain how Krause and Dargel can be combined to render the present invention obvious. Furthermore, Krause is directed to a decoder and Dargel is directed to a pattern analyzer. Since, the two apparatuses are different architectures directed to different functions, it is not obvious how the two apparatuses could be combined to render the present invention obvious.

Therefore, the present invention recited in claims 1-12 is not rendered obvious by the cited prior art.

VII. Concluding Matters

In view of the foregoing remarks, it is respectfully submitted that each of the claims distinguishes over the prior art, and therefore, defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowance of all the pending claims is respectfully requested.

Should there be any remaining questions to correct format matters, it is urged that the Examiner contact the undersigned attorney with a telephone interview to expedite and complete prosecution.

If any further fees are required in connection with the filing of this response, please change same to our Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES

Date: July 8, 2003

Richard J. Stokey
Reg. No. 40,383

DISCOVISION ASSOCIATES
INTELLECTUAL PROPERTY DEVELOPMENT
P. O. BOX 19616
IRVINE, CA 92623
(949) 660-5000   P:\ABG\PPD\PDD\941004~\(EP)US\C1X\C1\D9\amendment_a02.doc